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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/005,493	11/02/2001	Durga Prasad Satapathy	31838	7989

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EXAMINER

TRAN, PHILIP B

ART UNIT PAPER NUMBER

2155

DATE MAILED: 11/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/005,493	SATAPATHY ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Philip B. Tran	2155	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 25 August 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## ***Response to Amendments***

### ***Notice to Applicant***

1. This communication is in response to the amendment filed 25 August 2005.

Claims 1, 9, 15 and 17 have been amended. Therefore, claims 1-21 are pending for further examination.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-3, 6-8, 17-18 and 21 are rejected under 35 U.S.C 102(e) as being anticipated by Saindon et al (Hereafter, Saindon), U.S. Pat. No. 6,820,055.

Regarding claim 1, Saindon teaches a system operable to represent a user of a plurality of message mediums and to independently respond to a person wishing to communicate with the user via an unattended one of said message mediums (= a system for automated real-time conversion and transmission of speech and text and transfer response to user) [see Abstract], the system comprising:

a plurality of interface agents each coupled to a respective message medium (= conference bridge handles media events such as managing audio/video information,

email and phone call-ins) [see Col. 2, Lines 22-65 and Col. 14, Lines 15-67] and each operable to detect an unattended message received from the person, convert the unattended message into a written request and relay a result to the person (= speech-to-text conversion and transferring the text to a user) [see Abstract and Col. 1, Line 49 to Col. 3, Line 10 and Col. 5, Lines 1-12];

a command creator operable to convert the request into a database query (= database query) [see Figs. 1 & 6-7 and Col. 22, Line 42 to Col. 23, Line 25];

an expert system operable to modify the query by applying a collection of rules (= controlling event operations using the Rob-Cop expert system for registration and event scheduling and administrating the transaction/business relationship) [see Col. 19, Line 57 to Col. 20, Line 11];

a database operable to store information relating to the user (= database) [see Figs. 6-7 and Col. 23, Lines 8-25]; and

an output action generator operable to access the database, execute the query thereby generating the result based on the information in the database, and relay the result to the interface agents (= accessing the database and transferring data to user) [see Figs. 3-7 and Col. 19, Line 45 to Col. 20, Line 11].

Regarding claim 2, Saindon further teaches the system as set forth in claim 1, at least one of the interface agents being further operable to convert the result into a synthesized speech response (= text-to-speech conversion) [see Col. 5, Lines 1-12].

Regarding claim 3, Saindon further teaches the system as set forth in claim 1, at least one of the interface agents being further operable to convert a spoken message into the written request (= speech-to-text conversion) [see Col. 14, Lines 15-67].

Regarding claim 6, Saindon further teaches the system as set forth in claim 1, the system including a classifier operable to create, store, and retrieve a classification associated with one of a plurality of records (= handling the stored data and controlling the retrieval of data from the database) [see Col. 2, Lines 22-41 and Col. 19, Lines 5-32].

Regarding claim 7, Saindon further teaches the system as set forth in claim 1, the interface agents being selected from the group consisting of an email agent, a telephone agent, a voice-mail agent, and a video-conference agent [see Figs. 5-8].

Regarding claim 8, Saindon further teaches the system as set forth in claim 1, the information stored in the database being selected from the group consisting of email, word processing documents, spreadsheets, presentations, schedules, contracts, drawings, figures, telephone numbers, dates, names, records, notes, files, images, addresses, and personal data about the user [see Fig. 6].

Claim 17 is rejected under the same rationale set forth above to claim 1. In addition, Saindon discloses the identity of the source can be identified upon login [see

Col. 17, Lines 5-10] and providing password-based access to the control operation [see Col. 18, Lines 27-34]. This suggests that there exists a procedure of authenticating a user.

Regarding claim 18, Saindon further teaches the method of claim 17, further comprises the step of modifying the query based upon a classification (= controlling event operations using the Rob-Cop expert system for registration and event scheduling and administrating the transaction/business relationship) [see Col. 19, Line 57 to Col. 20, Line 11].

Regarding claim 21, Saindon further teaches converting the result into a spoken response and playing the response for the person [see Col. 5, Lines 1-12].

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein

were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 4-5, 9-16 and 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Saindon et al (Hereafter, Saindon), U.S. Pat. No. 6,820,055 in view of Hassan, U.S. Patent Application Publication No. 6,404,859.

Regarding claims 4-5, Saindon does not explicitly teach the system as set forth in claim 3, at least one of the interface agents being further operable to generate a voice signature based upon the spoken message and an authenticator operable to match the voice signature with one of a plurality of known records, thereby authenticating the person. However, Hasan, in the same field of voice-enabled system for remote access of information endeavor, discloses generating voice signature and authenticating a person by comparing spoken word with stored word [see Abstract and Fig. 3]. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to incorporate the teaching of Hasan into the teaching of Saindon in order to provide a more secured communication by preventing an unauthorized access to confidential information.

Regarding claim 9, Saindon teaches a system operable to represent a user of a plurality of message mediums and to independently respond to a person wishing to

communicated with the user via an unattended one of said message mediums (= a system for automated real-time conversion and transmission of speech and text and transfer response to user) [see Abstract], the system comprising:

a plurality of interface agents each coupled to a respective message medium (= conference bridge handles media events such as managing audio/video information, email and phone call-ins) [see Col. 2, Lines 22-65 and Col. 14, Lines 15-67] and each operable to detect an unattended message received from the person, convert the unattended message into a written request and relay a result to the person (= speech-to-text conversion and transferring the text to a user) [see Abstract and Col. 1, Line 49 to Col. 3, Line 10 and Col. 5, Lines 1-12];

a classifier operable to create, store, and retrieve a classification associated with each record (= handling the stored data and controlling the retrieval of data from the database) [see Col. 2, Lines 22-41 and Col. 19, Lines 5-32];

a command creator operable to convert the request into a database query (= database query) [see Figs. 1 & 6-7 and Col. 22, Line 42 to Col. 23, Line 25];

an expert system operable to modify the query by applying a collection of rules (= controlling event operations using the Rob-Cop expert system for registration and event scheduling and administrating the transaction/business relationship) [see Col. 19, Line 57 to Col. 20, Line 11];

a database operable to store information relating to the user (= database) [see Figs. 6-7 and Col. 23, Lines 8-25]; and



an output action generator operable to access the database, execute the query thereby generating the result based on the information in the database, and relay the result to the interface agents (= accessing the database and transferring data to user) [see Figs. 3-7 and Col. 19, Line 45 to Col. 20, Line 11].

Saindon does not explicitly teach appending the request with an identifier and an authenticator operable to match the identifier with one of a plurality of known records, thereby authenticating the person. However, Saindon does disclose the identity of the source can be identified upon login [see Saindon, Col. 17, Lines 5-10] and providing password-based access to the control operation [see Saindon, Col. 18, Lines 27-34]. This suggests that there exists a procedure of authenticating a user.

Hasan, in the same field of voice-enabled system for remote access of information endeavor, discloses the user provides his personal identification code (PIN) and authenticator compares the user's PIN with the corresponding PIN stored in the memory to establish the user's identity [see Hasan, Abstract and Figs. 2-3 and Col. 4, Line 56 to Col. 5, Line 18]. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to incorporate the teaching of Hasan into the teaching of Saindon in order to provide a more secured communication by preventing an unauthorized access to confidential information.

Regarding claim 10, Saindon further teaches the system as set forth in claim 9, at least one of the interface agents being further operable to convert the result into a synthesized speech response (= text-to-speech conversion) [see Col. 5, Lines 1-12].

Regarding claim 11, Saindon further teaches the system as set forth in claim 9, at least one of the interface agents being further operable to convert a spoken message into the written request (= speech-to-text conversion) [see Col. 14, Lines 15-67].

Regarding claim 12, Saindon does not explicitly teach the system as set forth in claim 11, at least one of the interface agents being further operable to generate a voice signature based upon the spoken message. However, Hasan, in the same field of voice-enabled system for remote access of information endeavor, discloses generating voice signature and authenticating a person [see Abstract and Fig. 3]. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to incorporate the teaching of Hasan into the teaching of Saindon in order to provide a more secured communication by preventing an unauthorized access to confidential information.

Regarding claim 13, Saindon further teaches the system as set forth in claim 9, the interface agents being selected from the group consisting of an email agent, a telephone agent, a voice-mail agent, and a video-conference agent [see Figs. 5-8].

Regarding claim 14, Saindon further teaches the system as set forth in claim 9, the information stored in the database being selected from the group consisting of email, word processing documents, spreadsheets, presentations, schedules, contracts,

drawings, figures, telephone numbers, dates, names, records, notes, files, images, addresses, and personal data about the user [see Fig. 6].

Claim 15 is rejected under the same rationale set forth above to claim 9.

Claim 16 is rejected under the same rationale set forth above to claim 14.

Regarding claim 19, Saindon does not explicitly teach appending the message with an identifier forming the request. However, Hasan, in the same field of voice-enabled system for remote access of information endeavor, discloses the user provides his personal identification code (PIN) and authenticator compares the user's PIN with the corresponding PIN stored in the memory to establish the user's identity [see Hasan, Abstract and Figs. 2-3 and Col. 4, Line 56 to Col. 5, Line 18]. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to incorporate the teaching of Hasan into the teaching of Saindon in order to provide a more secured communication by preventing an unauthorized access to confidential information.

Regarding claim 20, Saindon further teaches receiving a spoken sentence from the person, converting the sentence into a written message (= speech-to-text conversion) [see Col. 14, Lines 15-67]. Saindon does not explicitly teach appending the message with an identifier forming the request. However, Hasan, in the same field of voice-enabled system for remote access of information endeavor, discloses the user

provides his personal identification code (PIN) and authenticator compares the user's PIN with the corresponding PIN stored in the memory to establish the user's identity [see Hasan, Abstract and Figs. 2-3 and Col. 4, Line 56 to Col. 5, Line 18]. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to incorporate the teaching of Hasan into the teaching of Saindon in order to provide a more secured communication by preventing an unauthorized access to confidential information.

### ***Response to Arguments***

6. Applicant's arguments with respect to claims 1-21 have been considered but are not persuasive because of the following reasons:

*In response to applicant's arguments that cited reference teaches away from the invention of the instant application, the law of anticipation requires that a distinction be made between the invention described or taught and the invention claimed. It does not require that the reference "teach" what the subject patent teaches. Assuming that a reference is properly "prior art," it is only necessary that the claims under consideration "read on" something disclosed in the reference, i.e., all limitations of the claim are found in the reference, or "fully met" by it. **Colman v. Kimberly-Clark Corp., 218 USPO 789.***

Saindon teaches a system operable to represent a user of a plurality of message mediums and to independently respond to a person wishing to reach the user via an unattended one of said message mediums such as a system for automated real-time conversion and transmission of speech and text and transfer response to user [see Abstract], wherein the system comprising a plurality of interface agents each coupled to

a respective message medium. For example, Saindon teaches a conference bridge handles media events such as managing audio/video information, email and phone calls [see Col. 2, Lines 22-65 and Col. 14, Lines 15-67]. Saindon further teaches each operable to detect an unattended message received from the person, convert the unattended message into speech-to-text conversion and transferring the text to a user [see Abstract and Col. 1, Line 49 to Col. 3, Line 10 and Col. 5, Lines 1-12].

In addition, Saindon further teaches a command creator operable to convert the request into a database query (= database query) [see Figs. 1 & 6-7 and Col. 22, Line 42 to Col. 23, Line 25], an expert system operable to modify the query by applying a collection of rules. For instance, Saindon teaches controlling event operations using the Rob-Cop expert system for registration and event scheduling and administrating the transaction/business relationship [see Col. 19, Line 57 to Col. 20, Line 11], and database operable to store information relating to the user (= database) [see Figs. 6-7 and Col. 23, Lines 8-25].

Moreover, Saindon further teaches and an output action generator operable to access the database, execute the query thereby generating the result based on the information in the database, and relay the result to the interface agents. For example, Saindon further discloses accessing the database and transferring data to user [see Figs. 3-7 and Col. 19, Line 45 to Col. 20, Line 11].

Regarding to comment on "unattended message", the examiner notes that when a user participates in multi-tasking processes, then the user cannot be able to simultaneously accomplish two or more of the tasks and therefore it is inherent that

received message is the unattended message at some intervals of time. Also, Saindon further discloses automated system wherein the conference bridge should be able to automatically answer dial-in phone calls [see Col. 15, Lines 26-34]. This means that no human interaction is necessary to manage the event and thus the received message is the unattended message.

Therefore, the examiner asserts that cited references teach or suggest the subject matter broadly recited in independent claims. Dependent claims 2-8, 10-14, 16 and 18-21 are also rejected at least by virtue of their dependency on independent claims. Accordingly, claims 1-21 are respectfully rejected as shown above.

#### ***Other References Cited***

7. The following references cited by the examiner but not relied upon are considered pertinent to applicant's disclosure.

- A) Dilip et al, U.S. Pat. No. 6,704,409.
- B) Pinard et al, U.S. Pat. No. 6,675,194.
- C) Szlam, U.S. Pat. No. 6,359,892.
- D) Shtivelman, U.S. Pat. No. 6,263,066.
- E) Haigh, U.S. Pat. No. 5,793,861.

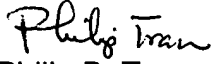
#### ***Conclusion***

8. Applicants' amendment necessitates the change of new grounds of rejections. Accordingly, THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CAR 1.136(a).

**A SHORTENED STATUTORY PERIOD FOR REPLY TO THIS FINAL ACTION IS SET TO EXPIRE THREE MONTHS FROM THE MAILING DATE OF THIS ACTION. IN THE EVENT A FIRST REPLY IS FILED WITHIN TWO MONTHS OF THE MAILING DATE OF THIS FINAL ACTION AND THE ADVISORY ACTION IS NOT MAILED UNTIL AFTER THE END OF THE THREE-MONTH SHORTENED STATUTORY PERIOD, THEN THE SHORTENED STATUTORY PERIOD WILL EXPIRE ON THE DATE THE ADVISORY ACTION IS MAILED, AND ANY EXTENSION FEE PURSUANT TO 37 CAR 1.136(A) WILL BE CALCULATED FROM THE MAILING DATE OF THE ADVISORY ACTION. IN NO EVENT, HOWEVER, WILL THE STATUTORY PERIOD FOR REPLY EXPIRE LATER THAN SIX MONTHS FROM THE MAILING DATE OF THIS FINAL ACTION.**

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip Tran whose telephone number is (571) 272-3991. The Group fax phone number is (703) 872-9306. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar, can be reached on (571) 272-4006.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Philip B. Tran  
Primary Examiner  
Art Unit 2155  
November 09, 2005